

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BOBBY MICHAEL DENNIS

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vs.

CASE NO. 6:24-cv-247-JDK-KNM

RODNEY VORNDAM, *et al.*

**REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

On July 15, 2024, the Court ordered Plaintiff to either submit a motion to proceed *in forma pauperis* or pay the full filing fee of \$405 within 20 days of receipt. The Court sent the Order to Plaintiff via certified mail and received a signed acknowledgment of receipt revealing that Plaintiff received the Order on July 22, 2024. To date, Plaintiff has not filed a motion to proceed *in forma pauperis* or paid the filing fee.

Plaintiff failed to comply with the Court's Order. The Order warned Plaintiff that the complaint may be dismissed if he failed to comply. Plaintiff's complaint should be dismissed for failure to prosecute pursuant to FED. R. CIV. P. 41(b).

RECOMMENDATION

It is recommended that the complaint be dismissed without prejudice for failure to prosecute. FED. R. CIV. P. 41(b).

Within fourteen days after receipt of the magistrate judge's report, any party may serve and file written objections to the findings and recommendations of the magistrate judge. 28 U.S.C. § 636(b). Written objections shall not exceed eight pages. Local Rule CV-72(c).

A party's failure to file written objections to the findings, conclusions, and recommendations contained in this Report within fourteen days after service shall bar that party from *de novo* review by the district judge of those findings, conclusions, and recommendations, and except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United States Auto. Assn.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*), superseded by statute on other grounds, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

So ORDERED and SIGNED this 21st day of August, 2024.



K. NICOLE MITCHELL
UNITED STATES MAGISTRATE JUDGE